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FROM: Peter J. Yim
Reg. 44,417

DATE: November 10, 2005

Number of pages with cover page:	10	
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Comments:**PLEASE PROCESS THE ATTACHED.**

Re: U.S. Patent Application No. 09/588,242
For: DATA STORAGE SYSTEM AND PROCESS
Our Ref: 24921-20245.00

Attached is the following:

1. Transmittal (1 page)
2. Amendment and Withdrawal of Notice of Appeal (6 pages)
3. Communication Regarding Withdrawal of Appeal (2 pages)

PTO/SB/21 (09-04)

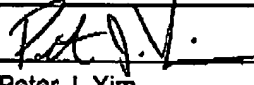
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/588,242
		Filing Date	June 6, 2000
		First Named Inventor	Lloyd A. POSTON
		Art Unit	2186
		Examiner Name	M. Anderson
Total Number of Pages in This Submission	9	Attorney Docket Number	249212024500

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) (2 pages) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Amendment and Withdrawal of Notice of Appeal (8 pages) 2. Facsimile Cover Sheet (not counted as part of this submission)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature			
Printed name	Peter J. Yim		
Date	November 10, 2005	Reg. No.	44,417

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.	
Dated: November 10, 2005	Signature:  (Valerie Cohen)

sf-2032479

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Docket No.: 249212024500
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Dated: November 10, 2005

Signature:

Valerie Cohen
(Valerie Cohen)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Patent Application of:
Lloyd A. POSTON

Application No.: 09/588,242

Art Unit: 2186

Filed: June 6, 2000

Examiner: M. Anderson

For: DATA STORAGE SYSTEM AND PROCESS

COMMUNICATION REGARDING WITHDRAWAL OF APPEAL

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Communication is being submitted to inform the Clerk of the Board of Patent Appeals and Interferences (the Board) that applicant hereby withdraws its Notice of Appeal in the above-referenced matter (see MPEP 1215.01).

In addition, applicant has filed a continuation application concurrently with this submission to prosecute the withdrawn claims in the parent case, U.S. Serial No. 09/588,242.

sf-2018755

Application No.: 09/588,242

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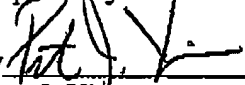
Docket No.: 249212024500

Conclusion

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **249212024500**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 10, 2005

Respectfully submitted,

By 
Peter J. Yim

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sf-2018755